

REMARKS

The present application has been reviewed in light of the Office Action mailed on August 31, 2006. Claims 1-11, 13-26 and 28-31 are currently pending, of which, Claims 1, 15, 17, 23 and 31 are in independent form. Reconsideration of the present application, is respectfully requested.

In the Office Action, Claims 15 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Comp, Publication No. 2004/0203579 (“Comp”); Claims 1-8, 10-11, 13-14, 17-24, 26 and 28-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Comp in view of Celik published on November 25, 2004 (Pub. No. US 2004/0236792) (“Celik”); Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Comp and Celik, and further in view of Miyashita published on February 14, 2002 (Pub. No. US 2002/0019225) (“Miyashita”); and Claim 25 was rejected under 35 U.S.C. §103(a) as being unpatentable over Comp and Celik, and further in view of US Patent No. 6,975,854 issued to Kee on December 13, 2005 (“Kee”). The rejections are respectfully traversed. It is respectfully submitted that the subject matter recited by Claims 1-11, 13-26 and 28-31 is patentable over the cited references.

I. Rejection of Claims 15-16

With respect to the rejection under 35 U.S.C. §102(e), it is respectfully submitted that Comp does not teach or suggest the subject matter recited by independent Claim 15.

Claim 15 recites, a cellular telephone, including, *inter alia*, a set of instructions capable of being executed by the processor for: parsing Caller ID information, said Caller ID information including at least a telephone number and an entity assigned the telephone number; and storing the parsed Caller ID information as a telephone directory listing within the telephone

directory, wherein the processor creates the telephone directory listing using the Caller ID information and stores the telephone directory listing within the memory.

Comp does not disclose or suggest the features recited by independent Claim 15. Comp is directed to a network-based archiving of user-specific information stored within a mobile user device, such as a cellular telephone, associated with a user at one or more network storage locations within a communication system. See paragraph [0009] The user-specific information, which includes contact information (analogous to a telephone directory as recited by Applicants' claims), which is stored at the network storage location(s) (analogous to remote central station as recited by Applicants' claim) is created and transmitted to the network storage location(s) using the mobile user device associated with or corresponding to the user. See paragraph [0013]

According to Comp, the stored user-specific information may thereafter be transferred from the network storage location(s) to a new user device associated with the user. See paragraph [0014] Other than contact information (information relating to personal contacts of the user), the user-specific information can include call log information (information relating to calls that the user recently participated in). The network storage location(s) maintains and stores user-specific information for many user devices each associated with a particular user. See paragraph [0019]

Comp discloses that if the user loses or damages his mobile user device, or has his user device stolen, or should the user simply desire to trade up to a new device model, the user-specific information may be downloaded to a new user device from the network storage location(s). See paragraph [0009] The user does not have to "manually reenter the information in the new user device." See paragraph [0027]

With respect to independent Claim 15, Comp discloses storing user-specific information (call log information and/or contact information) at the network storage location(s). The call log information is information relating to calls that the user of the mobile user device recently participated in (the information can include the phone numbers of other parties involved in corresponding calls, party names (analogous to Caller ID information as recited by Applicants' Claim 15) and/or other information may also be stored). See paragraph [0012] The contact information includes information relating to one or more personal contacts of the user (analogous to telephone directory listing as recited by Applicants' Claim 15). See paragraph [0001]

According to Comp, the call log information is stored within a call log database 36 of the user device 30 and the contact information is stored within an address book database 38 of the user device 30. The information stored within each database is created independently of each other. That is, call log information is automatically created by the user device, and contact information is created by the user manually entering the information using an input device. See paragraphs [0012] and [0013]

It is respectfully submitted that there is no disclosure or suggestion in Comp that a processor of the mobile user device uses call log information to create contact information. In particular, Comp does not disclose or suggest using Caller ID information or call log information to create a telephone directory listing and store the telephone directory listing within a memory of the cellular telephone, as recited by Applicants' Claim 15.

Claim 16 depends from Claim 15 and contains all of the features of Claim 15. Therefore, for at least the reasons presented above for the patentability of Claim 15, it is respectfully

submitted that Claim 16 is also patentable. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(e) with respect to Claim 16 and allowance of this claim are respectfully requested.

II. Rejection of Claims 1-8, 10-11, 13-14, 17-24, 26 and 28-31

With respect to independent Claims 1, 17, 23 and 31, Claim 1 recites, a cellular telephone, including, inter alia, a set of instructions capable of being executed by the processor for: establishing a communication link with a remote central station storing a plurality of telephone directories each assigned a unique identification code; transmitting a unique identification code to the remote central station; receiving a telephone directory stored in a memory of the remote central station and assigned the transmitted unique identification code, said telephone directory including at least one telephone directory listing created and transmitted to the remote central station using a computing device not corresponding to a subscriber of the cellular telephone; and storing the received telephone directory in the memory of the cellular telephone.

Claim 17 recites, a telephone directory management system, including, inter alia, a remote central station having a memory for storing a plurality of telephone directories each assigned an individual identification code and at least one processor having access to the plurality of telephone directories stored in the memory; a plurality of cellular telephones each corresponding to a different subscriber; and a set of instructions capable of being executed by the at least one processor for identifying at least a portion of a telephone directory of the plurality of telephone directories stored by the remote central station and corresponding to at least one of the plurality of cellular telephones and transferring at least the identified portion of the telephone directory to at least two of the plurality of cellular telephones.

Claim 23 recites, a method for managing telephone directories corresponding to a plurality of cellular telephones, the method includes the steps of: storing a plurality of telephone directories each corresponding to a respective one of the plurality of cellular telephones and assigned a unique identification code within a memory of the remote central station; processing instructions received by the remote central station including at least one unique identification code for identifying at least one telephone directory stored within the remote central station; and transferring the at least one identified telephone directory to at least two of the plurality of cellular telephones, wherein one of the at least two of the plurality of cellular telephones includes a cellular telephone which does not correspond to the at least one identified telephone directory, and wherein the plurality of cellular telephones have the capability of transferring a respective telephone directory to the remote central station for storage therein.

Claim 31 recites, a method for forwarding a telephone directory listing created by a first subscriber associated with a first cellular telephone to a second cellular telephone associated with a second subscriber, the method includes the steps of: receiving at a remote central station the telephone directory listing transmitted by the first cellular telephone; storing the telephone directory listing within a memory of the remote central station; receiving at the remote central station identification data transmitted by the second cellular telephone and corresponding to the first subscriber; identifying the telephone directory listing by the remote central station using the received identification data; and transmitting by the remote central station the telephone directory listing created by the first subscriber associated with the first cellular telephone to the second cellular telephone associated with the second subscriber.

Comp does not disclose or suggest the features recited by independent Claims 1, 17, 23 and 31. For example, as stated in the Office Action dated August 31, 2006 and the Final Office

Action dated February 8, 2006, “Comp does not specifically disclose that the computing device that is used to create and transmit the directory listing does not correspond to the subscriber of the cellular telephone.” In both instances, the Examiner relies on Celik in an effort to cure the deficiencies of Comp.

The Examiner states on page 5 of the Office Action dated August 31, 2006 and on page 4 of the Final Office Action that “Celik discloses a **wireless device (see paragraph 9)** wherein an information management method includes stages of assigning a first user a unique identifier, storing information related to the first user in a remote database operatively coupled to a remote device, and enabling a second user to access the remote database over a wireless network using a second device to retrieve the information related to the first user by retrieving the unique user identifier (see paragraph 7. **Also refer to paragraph 74).**” (Emphasis added)

The Examiner then states “it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the teachings as described by Celik with the teaching of Comp to arrive at the claimed invention. A motivation for doing so would have been to provide authorized users access to contact information stored at a remote location without the need to manually update or enter contact data (**see paragraph 5).**” (Emphasis added)

It is respectfully submitted that Celik is a continuation-in-part patent application filed on June 29, 2004, which is a continuation patent application of a patent application filed on December 30, 1998 and which issued as US Patent No. 6,374,259 on April 16, 2002 (“the ‘259 Patent”). The ‘259 Patent does not include paragraphs 5, 9 and 74 of Celik which are relied upon by the Examiner in rejecting Applicants’ independent Claims 1, 17, 23 and 31 and their corresponding dependent claims under 35 U.S.C. §103(a). Therefore, the earliest filing date for

these paragraphs is June 29, 2004; this date is after the filing date of Applicants' subject patent application of August 7, 2003.

More particularly, paragraphs 5, 9 and 65 to 92 and figures 9-13 are not provided in the '259 Patent. These paragraphs and figures are first introduced in the Celik continuation-in-part application which as stated above was filed after the filing of Applicants' subject patent application. Therefore, the combination of Comp and Celik in rejecting Applicants' claims is improper.

Applicants first made the argument of improper combination in an amendment filed on May 5, 2006 in response to the Final Office Action dated February 8, 2006. In response, the Examiner states in the Advisory Action dated May 30, 2006, that the "Examiner respectfully disagrees with Applicant by referring Applicant to the abstract, the summary, and throughout the '259 patent wherein the language of the argues [sic] paragraphs are supported. Therefore, the rejection is proper."

Applicants respectfully disagree with the Examiner's statement in the Advisory Action. The abstract, the summary and the rest of the '259 patent do not support the language of paragraphs 5, 9 and 65 to 92 of Celik which the Examiner particularly relies upon in rejecting Applicants' independent Claims 1, 17, 23 and 31. Paragraphs 5, 9 and 65 to 92 (and figures 9-13) of Celik which are relied upon by the Examiner in the Office Action dated August 31, 2006 and in the Final Office Action dated February 8, 2006 to reject Applicants' independent Claims 1, 17, 23 and 31 are the first to describe a system and methodology for transferring telephone directory information to a cellular telephone, i.e., over a wireless network. The '259 patent of which Celik is a continuation-in-part patent application does not describe such a system and

methodology. The '259 patent is directed to storing and retrieving business contact information stored in an internet-accessible database of a computer system using a personal computer. There is no teaching of a cellular telephone, systems utilizing a plurality of cellular telephones, and methods using cellular telephones as respectively recited by Applicants' independent Claim 1, 17, 23 and 31 in the '259 patent.

In particular, with respect to Applicants' Claim 1, since Celik is a continuation-in-part patent application from the '259 patent and since it was filed after Applicants' filing date, we must look to whether the '259 patent cures the deficiencies of Comp as stated in the Office Action. It is respectfully submitted that there is no disclosure or suggestion in the '259 patent of a cellular telephone, let alone, a cellular telephone capable of transmitting a unique identification code to a remote central station, and receiving a telephone directory stored in a memory of the remote central station and assigned the transmitted unique identification code, where the telephone directory includes at least one telephone directory listing created and transmitted to the remote central station using a computing device not corresponding to a subscriber of the cellular telephone, as recited by Applicants' independent Claim 1.

The '259 patent also does not cure a deficiency of Comp which is not stated as a deficiency in the Office Action. That is, that the cellular telephone establishes a communication link with a remote central station *storing a plurality of telephone directories each assigned a unique identification code*, as recited by Applicants' independent Claim 1.

Neither Comp nor the '259 patent disclose or suggest a remote central station storing a plurality of telephone directories each assigned a unique identification code, as recited by Applicants' independent Claim 1. At best, Comp discloses allocating storage space at a remote

central station for a user to store contact information thereat. The storage space is then identified as belonging to the user. See paragraphs 0021 and 0022 of Comp. Comp does not disclose or suggest assigning a unique identification code to each of a plurality of stored telephone directories, as recited by Applicants' independent Claim 1.

With respect to Applicants' Claim 17, it is respectfully submitted that the '259 patent does not cure the deficiencies of Comp as stated in the Office Action. There is no disclosure or suggestion in the '259 patent of a telephone directory management system being able to identify at least a portion of a telephone directory of a plurality of telephone directories stored by a remote central station and corresponding to at least one of a plurality of cellular telephones and transferring at least the identified portion of the telephone directory to at least two of the plurality of cellular telephones, as recited by Applicants' independent Claim 17.

With respect to Claim 23, it is respectfully submitted that the '259 patent does not cure the deficiencies of Comp as stated in the Office Action. There is no disclosure or suggestion in the '259 patent of a method comprising transferring at least one identified telephone directory to at least two of a plurality of cellular telephones, wherein one of the at least two of the plurality of cellular telephones includes a cellular telephone which does not correspond to the at least one identified telephone directory, as recited by Applicants' independent Claim 23.

The '259 patent also does not cure a deficiency of Comp which is not stated as a deficiency in the Office Action. That is, storing a plurality of telephone directories each corresponding to a respective one of the plurality of cellular telephones and *assigned a unique identification code* within a memory of the remote central station; and processing instructions received by the remote central station *including at least one unique identification code for*

identifying at least one telephone directory stored within the remote central station, as recited by Applicants' independent Claim 23.

Neither Comp nor the '259 patent disclose or suggest a remote central station storing a plurality of telephone directories each assigned a unique identification code, as recited by Applicants' independent Claim 23. At best, Comp discloses allocating storage space at a remote central station for a user to store contact information thereat. The storage space is then identified as belonging to the user. See paragraphs 0021 and 0022 of Comp. Comp does not disclose or suggest assigning a unique identification code to each of a plurality of stored telephone directories, as recited by Applicants' independent Claim 23.

With respect to Claim 31, it is respectfully submitted that the '259 patent does not cure the deficiencies of Comp as stated in the Office Action. There is no disclosure or suggestion in the '259 patent of a method for forwarding a telephone directory listing created by a first subscriber associated with a first cellular telephone to a second cellular telephone associated with a second subscriber, where the method includes receiving at a remote central station identification data transmitted by the second cellular telephone and corresponding to the first subscriber; identifying the telephone directory listing by the remote central station using the received identification data; and transmitting by the remote central station the telephone directory listing created by the first subscriber associated with the first cellular telephone to the second cellular telephone associated with the second subscriber, as recited by Applicants' independent Claim 31.

It is therefore respectfully submitted that in view of the arguments presented above, independent Claims 1, 17, 23 and 31 are allowable over Comp in view of Celik. Accordingly,

withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of independent Claims 1, 17, 23 and 31 are respectfully requested.

Claims 2-8, 10-11, 13-14, 18-22, 24, 26 and 28-30 depend, directly or indirectly, from either Claim 1, 17 or 23 and contain all of the features of either Claim 1, 17 or 23. Therefore, for at least the reasons presented above for the patentability of Claims 1, 17 and 23, it is respectfully submitted that Claims 2-8, 10-11, 13-14, 18-22, 24, 26 and 28-30 are also patentable. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 2-8, 10-11, 13-14, 18-22, 24, 26 and 28-30 and allowance of these claims are respectfully requested.

III. Rejection of Claim 9

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Comp and Celik, and further in view of Miyashita. Claim 9 depends from Claim 1 and contains all of the features of Claim 1. Therefore, for at least the reasons presented above for the patentability of Claim 1, it is respectfully submitted that Claim 9 is also patentable. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claim 9 and allowance of this claim are respectfully requested.

IV. Rejection of Claim 25

Claim 25 was rejected under 35 U.S.C. §103(a) as being unpatentable over Comp and Celik, and further in view of Kee. Claim 25 depends indirectly from Claim 23 and contains all of the features of Claim 23. Therefore, for at least the reasons presented above for the patentability of Claim 23, it is respectfully submitted that Claim 25 is also patentable.

Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claim 25 and allowance of this claim are respectfully requested.

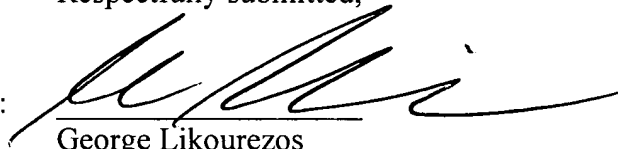
It is respectfully submitted that the claims are in condition for allowance. In view of the foregoing amendments and remarks, reconsideration of the application and allowance of the claims is earnestly solicited.

Should the Examiner believe that a telephone interview may facilitate prosecution of this application, the Examiner is respectfully requested to telephone Applicants' undersigned representative at the number indicated below.

In view of the foregoing amendments and remarks, reconsideration of the application and allowance of Claims 1-11, 13-26 and 28-31 is earnestly solicited.

Respectfully submitted,

By:



George Likourezos
Reg. No. 40,067
Attorney for Applicants

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road
Suite 225
Melville, New York 11747
631-501-5706
FAX: 631-501-3526